

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Virginia**

UNITED STATES OF AMERICA)	
)	Criminal No. 1:17-CR-270
v.)	
)	Honorable Liam O’Grady
AMAN HASSAN YEMER, <i>et al.</i>)	
)	
Defendant.)	

MOTION TO DISMISS INDICTMENT

Aman Hassan Yemer, by counsel, moves this Honorable Court to declare him mentally incompetent to stand trial and dismiss the Indictment as to him, with prejudice. As grounds for this motion, counsel submits the accompanying Memorandum and states that Mr. Yemer is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he does not have the sufficient present ability to consult with his lawyer with a reasonable degree of rational or factual understanding of the proceedings against him, or to properly assist in his defense. Counsel further submits that there is not a substantial probability that he will attain the mental capacity to stand trial in the foreseeable future and that failure to dismiss the Indictment would violate the protections conferred by the Due Process Clause.

Respectfully submitted,

AMAN HASSAN YEMER
By Counsel

/s/

Nina J. Ginsberg, Esquire
Counsel for Defendant
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CERTIFICATE OF SERVICE

I hereby certify on this 28th day of March, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to counsel of record.

/s/

Nina J. Ginsberg, Esquire